

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK**

RICHARD SMITH,

Plaintiff,

-vs.-

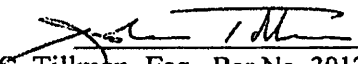
NOVELIS INC., ALCAN  
ALUMINUM CORP.; LIBERTY  
LIFE ASSURANCE CO. OF  
BOSTON and LIBERTY MUTUAL  
Defendants

Index No.: 5:05-cv-0957

**STIPULATION OF  
DISCONTINUANCE**

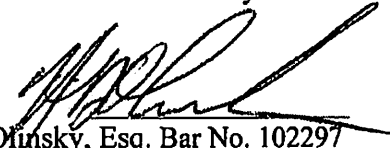
IT IS HEREBY STIPULATED AND AGREED, by and between the parties, Plaintiff Richard Smith, and Defendants Novelis Inc. Alcan Aluminum Corp., Liberty Life Assurance Co of Boston and Liberty Mutual., through the undersigned attorneys of record, that whereas no party hereto is an infant or incompetent person for whom a committee has been appointed and no person not a party has an interest in the subject matter of the action, that the captioned action is dismissed with prejudice.

Dated: 2/2/2010

  
John C. Tillman, Esq. Bar No. 301241  
Novelis Corporation  
6060 Parkland Blvd.  
Mayfield Heights, Ohio 44124

*Attorney for Defendants*  
Novelis Inc. Alcan Aluminum Corp.,  
Liberty Life Assurance Co of Boston  
and Liberty Mutual

Dated: 1/22/09

  
Howard D. Olinsky, Esq. Bar No. 102297  
Olinsky & Shurtliff  
300 South State Street  
Syracuse, New York 13202

*Attorney for Plaintiff Richard Smith*

SO ORDERED: 

USMJ

2/22/10